

FILED

2018 JUN 20 PM 4:23

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXASBY  DEPUTYIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

UNITED STATES OF AMERICA

§
§
§
§
§

V.

CAUSE NO. 6:10-CR-288(02)-LY

CHRISTINE KIM ELIFRITS,

ORDER

Before the court is the above styled and numbered cause. On May 10, 2018, the United States Probation Office filed a Petition for Warrant or Summons for Offender under Supervision for Defendant Christine Kim Elifrits, alleging that Elifrits violated several conditions of her supervised release (Dkt. No. 185). A warrant issued and Elifrits was arrested on May 25, 2018.

Elifrits made an initial appearance before a United States Magistrate Judge on May 29, 2018. Elifrits appeared again before a United States Magistrate Judge for a final revocation hearing on June 12, 2018. Elifrits waived her right to be present before the United States District Judge at the time of modification of sentence and consented to allocution before the magistrate judge for a final revocation hearing (Dkt. No. 197).

Following the hearing, the magistrate judge signed a report and recommendation (Dkt. No. 201). The report and recommendation recommends that this court revoke Elifrits's term of supervised release, with a term of one year of supervised release with the previous conditions remaining in force. The report and recommendation further recommends that Elifrits be incarcerated until such time as an inpatient treatment bed becomes available, at which time she is to be released to a state funded treatment program. The report and recommendation finally recommends that this sentence is to be served concurrently with the sentence imposed in 6:11-CR-188(1).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc). The parties in this cause were properly notified of the consequences of a failure to file objections.

On June 12, 2018, all parties signed a Waiver of Fourteen Day Rule for Filing Objections to Report and Recommendation of United States Magistrate Judge (Dkt. No. 199). The court, having reviewed the entire record and finding no plain error, accepts the report and recommendation filed in this cause.

IT IS THEREFORE ORDERED that the United States Magistrate Judge's Report and Recommendation (Dkt. No. 201) filed in this cause is hereby **ACCEPTED AND ADOPTED** by the court.

IT IS FURTHER ORDERED that Elifrits's supervised release is hereby **REVOKED**, with a term of one year supervised release to follow with the previous conditions remaining in force and effect.

IT IS FURTHER ORDERED that Elifrits be incarcerated until such time as an inpatient treatment bed becomes available, at which time she is to be released to a state funded treatment program.

IT IS FURTHER ORDERED that Elifrits's sentence be served concurrently with the sentence imposed in 6:11-CR-188(1).

IT IS FINALLY ORDERED that in all other respects the Judgment and Commitment (Dkt. No. 24), rendered on June 24, 2013, shall remain in full force and effect.

SIGNED this 24th day of June, 2018.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE